

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

OWENS & MINOR, INC. and OWENS & MINOR
FLEXIBLE BENEFITS PLAN,

Plaintiff,

v.

ANTHEM HEALTH PLANS OF VIRGINIA, INC.
D/B/A ANTHEM BLUE CROSS AND BLUE
SHIELD,

Defendant.

Civil Action No.: 3:23-cv-00115-REP-SLS

JOINT STIPULATION OF DISMISSAL

COME NOW Plaintiff Owens & Minor, Inc. and Owens & Minor Flexible Benefits Plan (“Plaintiff”) and Defendant Anthem Health Plans of Virginia, Inc. d/b/a Anthem Blue Cross and Blue Shield (“Defendant”) and submit this, the Parties’ Joint Stipulation of Dismissal with Prejudice. The Parties, by and through their undersigned counsel, hereby stipulate to the voluntary dismissal of the above-captioned action with prejudice, pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. The Parties agree that, pursuant to *Kokkonen v. Guardian Life Ins. Co. of America*, the Court retains jurisdiction to enforce the Parties’ Settlement Agreement.

Dated: August 10, 2023

Respectfully submitted,

By: _____/s/_____

Seth Carroll (VSB No. 74745)
Matthew Lastrapes (VSB No. 84097)
Commonwealth Law Group
3311 West Broad Street
Richmond, VA 23230
scarroll@hurtinva.com
mلاstrapes@hurtinva.com

By: _____/s/_____

John M. Erbach (VA Bar. No. 76695)
Hugh M. Fain, III (VA Bar No. 26494)
Christopher W. Bascom (VA Bar No. 87302)
Spotts Fain PC
411 E. Franklin Street, Suite 600
Richmond, VA 23219
Telephone: (804) 697-2040
Fax: (804) 697-2140

W. Mark Lanier (pro hac vice)
Kent C. Sullivan (pro hac vice)
Benjamin Major (pro hac vice)
The Lanier Law Firm, P.C.
10930 W. Sam Houston Pkwy N.
Suite 100
Houston, Texas 77064

WML@lanierlawfirm.com
Kent.Sullivan@lanierlawfirm.com
Ben.Major@lanierlawfirm.com

Frank Gallucci (pro hac vice)
Plevin and Gallucci Co., LPA
55 Public Square, Suite 2222
Cleveland, OH 44113

FGallucci@pglawyer.com

***Counsels for Plaintiff Owens & Minor, Inc.,
individually and on behalf of Owens &
Minor Flexible Benefits Plan***

hfain@spottsfain.com
jerbach@spottsfain.com

E. Desmond Hogan (pro hac vice)
Briana L. Black (pro hac vice)
W. David Maxwell (pro hac vice)
HOGAN LOVELLS US LLP
555 Thirteenth Street, NW
Washington, DC 20004
Telephone: (202) 637-5600
Facsimile: (202) 637-5910
desmond.hogan@hoganlovells.com
briana.black@hoganlovells.com
david.maxwell@hoganlovells.com

***Counsel for Defendant Anthem Health Plans
of Virginia, Inc.***

CERTIFICATE OF SERVICE

I certify that, on August 10, 2023, I filed a copy of the foregoing electronically with the Clerk of the Court using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/
Hugh M. Fain, III
John M. Erbach
Spotts Fain PC
411 E. Franklin Street , Suite 600
Richmond, VA 23219
Telephone: (804) 697-2040
Fax (804) 697-2140
hfain@spottsfain.com
jerbach@spottsfain.com

*Counsel for Defendant
Anthem Health Plans of Virginia, Inc.*